

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

John M. Agnello
Melissa E. Flax
CARELLA, BYRNE, CECCHI,
OLSTEIN, BRODY & AGNELLO, P.C.
5 Becker Farm Road
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Stephen M. Charme
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Attorneys for Plaintiffs

DR. FADI CHAABAN, DR. SABINO R.
TORRE, DR. CONSTANTINOS A.
COSTEAS, AND DR. ANTHONY J.
CASELLA as Trustees of Diagnostic &
Clinical Cardiology, P.A. Profit Sharing
Plan,

Plaintiffs,

v.

DR. MARIO A. CRISCITO,

Defendant.

Civil Action No. 2:08-cv-01567 (GEB/MCA)

**NOTICE OF MOTION
FOR AN AWARD OF
ATTORNEYS' FEES AND COSTS**

Oral Argument Requested

TO: Robert J. Conroy, Esq.
R. Bruce Crelin, Esq.
Kern Augustine Conroy & Schoppmann, P.C.
1120 Route 22 East
Bridgewater, New Jersey 08807

COUNSEL:

PLEASE TAKE NOTICE that on June 6, 2011, at 10:00 a.m., or as soon thereafter as
counsel may be heard, counsel for Plaintiffs shall appear before the Honorable Garrett E. Brown,

Jr., U.S.D.J., United States District Court for the District of New Jersey, Clarkson S. Fisher Federal Building & U.S. Courthouse, 402 E. State Street, Trenton, New Jersey, for an Order awarding Plaintiffs' attorneys' fees and costs pursuant to ERISA § 502(g).

PLEASE TAKE FURTHER NOTICE that in support of their motion, Plaintiffs shall rely upon the Declarations of John M. Agnello, Anthony J. Casella and Stephen M. Charme in support of Plaintiffs' Motion for an Award of Attorneys' Fees and Costs and Plaintiffs' Brief in Support of Their Motion for an Award of Attorneys' Fees and Costs, submitted herewith.

PLEASE TAKE FURTHER NOTICE that a proposed form of Order is also submitted herewith.

PLEASE TAKE FURTHER NOTICE that oral argument is requested.

Dated: April 26, 2011

John M. Agnello
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By: s/John M. Agnello
John M. Agnello

-and-

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